

NEWPORT BEACH PLANNING COMMISSION MINUTES
Council Chambers – 3300 Newport Boulevard
Thursday, August 4, 2011
REGULAR MEETING
4:00 p.m.

A. CALL TO ORDER - The meeting was called to order at 4:00 p.m.

B. PLEDGE OF ALLEGIANCE – Led by Commissioner Hillgren.

C. ROLL CALL

PRESENT: Ameri, Hawkins, Hillgren, Kramer, Myers, Toerge, Unsworth
ABSENT (EXCUSED): None.

Staff Present: Kimberly Brandt, Community Development Director, James Campbell, Principal Planner, Gregg Ramirez, Acting Planning Manager, Leonie Mulvihill, Assistant City Attorney, Tony Brine, City Traffic Engineer, Rosalinh Ung, Associate Planner, and Marlene Burns, Administrative Assistant

D. PUBLIC COMMENTS

Barbara Peters, resident, spoke regarding the remodel plan at 3002 Breakers Drive and in opposition to the City's current position on this matter.

Community Development Director Kimberly Brandt offered to provide an in-depth report to the Commission regarding the project at 3002 Breakers Drive.

E. REQUEST FOR CONTINUANCES – None.

F. CONSENT ITEMS

ITEM NO. 1 Minutes of July 21, 2011

Motion made by Commissioner Hawkins and seconded by Commissioner Ameri, and carried (4 – 0, 3 abstentions) to approve the minutes, as corrected.

AYES: Ameri, Hawkins, Kramer, and Unsworth
NOES: None.
ABSENT(EXCUSED): None.
ABSTAIN: Hillgren, Myers, and Toerge

G. PUBLIC HEARING ITEMS

Chair Unsworth recused himself from participation in Public Hearing Items No. 2 and No. 3, citing his membership in the Newport Beach Country Club. Commissioner Myers recused himself from participation in Items No. 2 and No. 3, citing his economic interest in the Golf Realty Fund. They both left the dais and the Chamber for the remainder of the meeting.

Vice Chair Toerge presided over the meeting and outlined the procedures for the consideration of Items No. 2 and No. 3.

ITEM NO. 2 Newport Beach Country Club – Golf Realty Fund (PA2005-140)
1600 & 1602 E. Coast Highway

ITEM NO. 3 Newport Beach Country Club – International Bay Clubs (PA2008-152)
1600 E. Coast Highway

A staff report was presented by Rosalinh Ung, Associate Planner. A PowerPoint Presentation was displayed. Ms. Ung outlined the three (3) options recommended by staff.

Vice Chair Toerge opened the public hearing on Item No. 2.

Robert O Hill, applicant, representing Golf Realty Fund, displayed a PowerPoint Presentation which detailed the history of the subject property.

Vice Chair Toerge requested Commissioners announce any ex parte communications with Mr. O Hill and/or the NBCC applicants.

Commissioner Hillgren stated he met with both applicants and toured both properties.

Commissioner Ameri announced he had toured the project sites and met with the NBCC representatives and the Marriott.

Commissioner Hawkins announced he had toured the project sites and met with Mr. O Hill, the NBCC representatives, and spoke with a representative of the Marriott.

Commissioner Kramer announced he had visited the site several times and met with the lessee (NBCC).

Vice Chair Toerge announced he had met with Mr. O Hill, Mr. Wooten and the NBCC team, and has had conversations with representatives of the Marriott.

Commissioner Hillgren also noted that he had conversations with representatives with the Marriott. He disclosed that his family has a membership in the Balboa Bay Club, and based upon his discussions with the Assistant City Attorney, it was determined that there was no conflict of interest in his participation in Items No. 2 and 3.

Mr. O Hill disclosed and distributed documents that he said show that the easement on the property has been terminated. He also noted that he is not in opposition of NBCC's proposed larger clubhouse; however, he is objecting to the proposed public use of the clubhouse, which is not consistent with the General Plan and will also create negative impacts for a private equity club use. Mr. O Hill stated that he does not object if the proposed larger clubhouse retains the same type of use and is in support of a condition of approval in this regard. Mr. O Hill also stated that none of the hotel units will be lock-off units, which would increase the number of units.

Mr. O Hill stated that, in general, he is support of the proposed expanded PC text.

In response to an inquiry from Commissioner Hawkins regarding ownership and lease agreements with the property and property owners, Mr. O Hill responded that Golf Realty Fund is the managing co-tenant or lease fee owner. He detailed various aspects of the lease agreement with NBCC.

In response to further inquiries from Commissioner Hawkins related to written correspondence from the other property owners with vested interests in this property, Mr. O Hill disclosed that two of the tenants in common of the property have an alternative concept for the property, the group met in mediation and determined a price for buyout. In closing, he stated that a date is still to be set for the buyout.

Commissioner Hawkins stated that the Commission had received written correspondence from the Marriot related to the transfer of property rights. Mr. O Hill explained his proposed "draw down" of units process. He was told that it was available to transfer units from the Marriot.

Tim Paone, counsel for the applicant, noted that the General Plan states the rules on the transfer of development rights and that the Marriott is not claiming vested rights in the property.

Commissioner Hawkins stated that if the development right was vested, then they are part of the development agreement. Mr. Paone stated that he has not seen any documents that states that the Marriot has a vesting right.

In response to an inquiry from Commissioner Hawkins, Mr. O Hill noted that the easement is owned by the property owner, and that Golf Realty Fund pays a pro rata share to the Irvine Company for maintenance of the parking lot. He also detailed the revenue studies that were conducted as related to the bungalow hotel units. Mr. O Hill has not yet determined the specific hotel operator for the project; however, he has several viable parties interested in the hotel operations contract.

Commissioner Kramer asked that Mr. O Hill substantiate how the hotel bungalows would generate \$1 million dollars in Transient and Transfer Occupancy Tax, Mr. O Hill referred to a fiscal impact study that values these taxes at approximately \$1 million dollars and added that there are other items that are included in the amount; however, the majority is made up by the Transient and Transfer Occupancy Tax. Commissioner Kramer requested to see the study in the future.

As a result of a further inquiry from Commissioner Kramer regarding if a hotel operator had been identified, Mr. O Hill stated that his company has targeted and received inquiries from various hotel operators, but a final decision has not been made. Commissioner Kramer asked whether the architect had designed a golf clubhouse as of yet and Mr. O Hill responded that the architect had not but that he has designed hospitality suites.

Commissioner Ameri asked Mr. Tim Paone, the Attorney for the Applicant, if he agreed with his definition of the General Plan versus the Zoning Code as it related to the Marriott's vested right, Mr. Paone responded that the General Plan controls as related to the matter relative to the Marriott, and that the Zoning Code cannot be inconsistent with the General Plan.

Commissioner Ameri expressed his understanding of how the General Plan prevails over interpretations of the Zoning Code.

Commissioner Hawkins asked Mr. O Hill to please identify his architect for the record. Mr. O Hill identified his architect as Leland Stearns, who was in attendance during the public hearing.

Commissioner Hawkins spoke regarding the recreational impacts (tennis courts) of the proposed project, which he interprets as a loss of a community resource. Mr. O Hill stated that there are sufficient tennis courts for the members that are there now, and that they are building a larger clubhouse with updated amenities, which will be an improvement for the existing members.

Commissioner Ameri inquired as to Mr. O Hill's objection to the larger clubhouse, and whether a condition of approval that would support his position would be acceptable. Mr. O Hill stated that he is not in objection of a larger clubhouse; however, he would be in support of a condition of approval for the larger size that would restrict the use to private, Club members only. Commissioner Hillgren disagreed with the private club being referred to, by Mr. O Hill, as an equity club, but added that it was immaterial to the discussion.

Commissioner Hawkins inquired whether staff was in accordance with the ownership interests who filed the applications and the transfer of development rights.

Assistant City Attorney Leonie Mulvihill stated that staff is confident that the applications were filed properly under the prior Zoning Code; however, a condition of approval will be included that all ownership interests must sign prior to moving to the building permit stage. Ms. Mulvihill noted that it is the City's position that Marriott is not a required signer to the transfer of development units.

Community Development Director Kimberly Brandt noted that there is ability within the Newport Center statistical area to transfer development intensities between different anomaly areas. If there is an unbuilt entitlement, which is vested, it would require the signature of the entity who retains the vested entitlement.

Vice Chair Toerge explained the public testimony process and opened the public hearing.

Paul Christ, resident, expressed that in the past there have been noise impacts related to the adjacent marriage lawn and banquet facility. He also stated concern regarding the reduction of the number of tennis courts and recommended fourteen (14) to twenty-one (21) courts.

Addressing Mr. Christ, Commissioner Hawkins asked how many tennis courts would be ideal. Mr. Christ responded that he would prefer fourteen (14) tennis courts, however, no more than twenty-four (24).

Elliot Feuerstein, owner and managing member of Mira Mesa Shopping Center West and Mesa Shopping Center East, who, along with Irving Chase, owns fifty (50%) percent ownership of the Newport Beach Country Club and Tennis Club properties, noted that he supports the NBCC plans for the Country Club. He stated that he is not in favor of the Golf Realty Fund's plans and that he has not authorized them to submit plans for development on this property. Mr. Feuerstein commented that it is not the proper role of Golf Realty Fund to submit a competing plan on the property that NBCC rents from them for the next fifty-six (56) years. He expressed support for the access easement for Armstrong Nursery. He mentioned that he had spoken to

Mr. O Hill regarding their opposition to the tennis club development and that Golf Realty Fund's plans are economically unfeasible.

Commissioner Hawkins asked Mr. Feuerstein on what his position was related to Mr. O Hill's easement. Mr. Feuerstein responded that he questioned the legality of the easement agreement entered between his father and Mr. O Hill.

Irving Chase, manager of the Feuerstein Trust, strongly endorsed the NBCC plan for the new clubhouse and parking facility for the Country Club. He expressed concerns that the proposed project by Golf Realty Fund could not be built, even if approved by the Planning Commission and City Council and that the proposal is not financially feasible. In closing, Mr. Chase stated that they would be in favor of a residential project with public tennis courts, or some public-use element.

Marisa Wayne, Tennis Club member, requested that the Commission not delay in having the members get new courts and clubhouse.

Carol McDermott of Government Solutions, representing HHR Newport Beach LLC, which owns the Newport Beach Marriott Resort and Spa, spoke regarding the transfer of property rights between anomalies. They disagree with staff's opinion regarding the property rights on this property and believe that Marriott has a clear understanding that they retain the rights to the six hundred and eleven (611) units. Ms. McDermott suggested that the Community Development Director utilize her discretion to impose a condition requiring Golf Realty Fund to gain Marriott's sign-off and distributed documentation to this effect. She further requested that the condition be attached to the Tentative Map and that Marriott would like to find a solution to the removal of valuable property rights which have long been connected to the Marriott.

Commissioner Hawkins asked Ms. McDermott if it was the Marriott's position that rights are vested. In response Ms. McDermott stated that Marriott, as a result of the original approval, had an assumption of vested rights even if not part of a development agreement. She stated that had they known there was going to be such a need, they would have filed a Development Agreement to protect their vested rights.

In response to inquiries from Commissioner Hillgren, regarding the number of total units, the number of times for the approval process for the total number of units, how many units were built, if there was a renovation which removed the number of units, and if there were future plans to renovate to increase the number of units or change the plans, Ms. McDermott commented that the six hundred and eleven (611) units were approved over two (2) separate approval processes, and that currently, even with the 2004 remodel, all but seventy-nine (79) hotel rooms are constructed. She stated that Marriott does not have current plans to build out the seventy-nine (79) units.

Commissioner Ameri asked if there was an assessment made regarding the need to build the six hundred and eleven (611) units, the maximum, thereby assuming that there would be control over the units or if the remaining unbuilt units would be floating. Ms. McDermott replied that at the time Host Marriott purchased the land from the Irvine Company they also purchased a number of units, of which Ms. McDermott could not recall. She continued that at the time of the renovation they then negotiated the purchase of the remaining number of units under the sales agreement to obtain the maximum number of six hundred and eleven (611) units. They had an

entitlement for the six hundred and eleven (611) units; however, they did not have a development agreement.

Commissioner Kramer requested that the Assistant City Attorney provide the City's position relative to the units in question.

Assistant City Attorney Mulvihill stated that staff disagreed that the six hundred and eleven (611) units, just by their inclusion in a Land Use table of the General Plan, creates a vested right in the owner of the property located within Anomaly 43 and that this has been discussed with Ms. McDermott. The 2004 remodel was not a substantial conformance finding; rather, it was a minor change. The units are available for those who are going to pursue development by way of a Development Agreement, and, until then, they are up for use in the Newport Center statistical area.

In response to an inquiry from Commissioner Kramer regarding if Marriott would be open to sharing a number of units, Ms. McDermott stated that Marriott is open to sharing the units since they are not being used and noted that there is no projected use. However, she commented on the value of the entitlements and Marriott's interest into entering into a compensatory agreement with Golf Realty Fund.

Shawna Schaffner, CAA Planning on behalf of Newport Beach Country Club, stated her objection to Golf Realty Fund's plan for the golf course clubhouse, due to the long-term lease over the property.

Ms. Schaffner expressed concern regarding the potential for the proposed bungalows to encroach over the lease-hold and suggested that staff require the bungalow position to be revised and the set-back be appropriate to avoid the lease-hold boundary.

Commissioner Hawkins inquired as to the encroachment and Ms. Schaffner noted that the buildings do not encroach over the lease-hold property, rather, the landscape is what encroaches (pursuant to information provided by Mr. Doug Lee, architect for Newport Beach Country Club).

Commissioner Hillgren requested a visual guide as to the property lines of the respective proposed projects.

Seeing that there were no further speakers to provide public testimony, Vice Chair Toerge closed the public hearing on Item No. 2.

Motion (Item No. 2) made by Commissioner Hawkins and seconded by Commissioner Hillgren, and carried (5 – 0, 2 recusals) to table Item No. 2 to a later time in the meeting.

AYES:	Ameri, Hawkins, Hillgren, Kramer, and Toerge
NOES:	None.
ABSENT (RECUSED):	Myers and Unsworth
ABSTAIN:	None.

Vice Chair Toerge opened the public hearing on Item No. 3.

David Wooten, CEO of the Newport Beach Country Club, provided a historical picture of the Country Club, its membership, tournaments, and reiterated that they will continue the current business plan. With the development of the clubhouse, they are looking to increase the tournament activity which will provide a valuable resource to the community. It is also home to the Corona del Mar High School Boys and Girls Golf Teams. The clubhouse is over 50 years old, and needs refurbishment, and its small size does not fit the current business model. The ballroom is less than 10% of the proposed increase, and the biggest increase is in the locker room and the kitchen. Mr. Wooten spoke regarding the steps for designing the clubhouse and would like to start right after the Toshiba Tournament in 2013, with the soonest start date being late March 2013, assuming they have obtained the necessary approvals from the City and the Coastal Commission. During construction, amenities will be available to existing members. Mr. Wooten stated that the Irvine Company has approved the project.

Mr. Wooten stated that the banquet room seats approximately one hundred twenty (120) to one hundred thirty (130) guests and spoke regarding the larger number of people who need to be served dinner during the tournaments.

Commissioner Hawkins asked for clarification regarding what the percent increase was attributed to. In response, Mr. Wooten stated that the increase of the square footage in the new facility, only seven (7) percent was due to the additional ballroom, and the additional "sit-down" restaurant is about the same size.

In response to an inquiry from Commissioner Hillgren regarding the current level of seating throughout the clubhouse, Mr. Wooten responded that the clubhouse can accommodate approximately two hundred (200) guests and stated that the banquet facilities are open for rental by outside entities for over fifty (50) guests. He also stated that this is not an "equity" club, it as a "for-profit" business.

Doug Lee, architect for the proposed development at the Newport Beach Country Club, presented a PowerPoint Presentation outlaying the details of the upgraded clubhouse. He spoke regarding the parking elements, ocean view opportunities, noise impacts, and stated that the existing property does not provide enough space for their current and future needs.

Mr. Lee stated that the design of the porte-cochère was to create an impressive entry into a world-class development. He stated he would be open to changing the proposed entry; however, he noted in his professional opinion that it was not a large structure.

Shawna Schaffner, CAA Planning, stated the comparison seating for other similar banquet facilities and that their proposed plan is only thirty (30) seats above the number of seats Mr. O Hill is proposing.

Mr. Lee stated that there are guidelines for the slope on development projects and that they have been accommodated and met. He mentioned their concern regarding the visual impact of the parking lot and would prefer the sunken parking lot design. In closing, he stated that the pad level of the proposed project would be two (2) feet higher than the current level, and the second story would be fifteen (15) feet above that to achieve an ocean view.

Commissioner Hillgren stated that the location of the porte-cochère adjacent to the proposed residential units was not a good planning concept and creates conflicts – particularly in the evenings. Further, the entry drive with three (3) small road segments is choppy and the number

of entrances, three (3), to the club can be confusing and may not be optimal for members and guests. He suggested that the porte-cochère should be located at the end of a single drive and located more in the center of the building to facilitate circulation of both automobiles and pedestrians..

Mr. Lee stated that most clubs do not want to mix the banquet facility with the member's entry; however, they would be open to reviewing the porte-cochère and make entrance to the development more direct.

Commissioner Hillgren expressed concern related to the Prairie design concept – specifically that it is a little known and non-distinctive style which is not in keeping with a world class location and does not appear consistent with any of the other notable properties along PCH.

Commissioner Ameri stated that the frontage road, from the physical aspect, unless absolutely necessary for access to Armstrong Nursery, should be eliminated altogether. He expressed concern that access to the frontage road as it exists today is dangerous and would rather see a direct entry into the project.

Mr. Lee stated that there would be no signs on the building; however, there is a placeholder on the corner of the property for a monument with low, understated signage.

Shawna Schaffner CAA Planning, support staff's recommendation to continue this matter to October and is in support the alternative PC text that staff has developed with a few minor modifications.

Mr. Wooten clarified that he is the President of the NBCC and has not provided any input or comment to Mr. O Hill, as Mr. O Hill had stated earlier in the public hearing.

Given unanimous consent from the remaining members of the Commission to take a fifteen (15) minute break. The Commission recessed at 7:12 p.m.

The Commission reconvened at 7:28 p.m.

Tim Paone provided comments on NBCC's proposal. Golf Realty has no objections to the Monday tournaments, member and their guest's events, charity events, or the Toshiba tournaments. Their main concern is with the public use of the facility. In addition, Mr. Paone expressed concerns with that the clubhouse was created independently from the Planned Community concept and that he would prefer a classic arrival entrance to a world-class resort. He expressed interest in working with NBCC, as their primary concern is the public use of the facility, not the size or the design. Mr. Paone expressed concern regarding the nine (9) weeks of import of fill materials.

Commissioner Ameri stated that the final implementation of the General Plan and Zoning Code issue must be answered prior to entering into a final Development Agreement.

Mr. Paone stated that they do not believe that public use is allowable under the lease and those issues should be sorted out privately.

Dan Purcell, resident, stated his agreement with Mr. Paone, and that the alternate plan is likely driven by the desire for public events.

Mr. O Hill stated that the elevation of the NBCC proposed clubhouse is two (2) feet above the existing clubhouse; however, because the land is sloping, in certain areas it is twelve (12) to fourteen (14) feet higher than the existing clubhouse.

Seeing no speakers to provide further public comment, Vice Chair Toerge closed the public hearing.

Shawna Schaffner, CAA Planning, stated that the General Plan allows for the golf course and clubhouse and requested staff to come to an understanding of this. She stated that the hedge can be reduced on the perimeter fence, so that views can go through to the parking lot. Landscaping can also be layered in this area, and if the frontage road is retained, the landscaping can be viewed from Coast Highway. In closing, she stated that all on-going events have been fully disclosed in the required CEQA documents, and that the import of fill materials will only take twenty-seven (27) days as stated in the development documents.

Motion (Item No. 3) made by Commissioner Hawkins and seconded by Commissioner Hillgren, and carried (5 – 0, 2 recusals) to table Item No. 3.

AYES:	Ameri, Hawkins, Hillgren, Kramer, and Toerge
NOES:	None.
ABSENT (RECUSED):	Myers and Unsworth
ABSTAIN:	None.

Vice Chair Toerge reopened the public hearing for Item No. 2, for the purpose of allowing rebuttal arguments.

Mr. Paone stated for the record his concerns regarding the potential for staff to interpret the Ordinance that any entity with an interest in a piece of real property can object and stop it from being built. He stated this means that any partner in a business relationship can intervene, even where there is a document showing that they have granted the authority solely to another individual to represent the entity in obtaining permits and submit applications, and this would create a barrier to development in the City. Mr. Paone stated that a General Plan Amendment could accomplish what the Marriott is trying to achieve with the transfer of development rights sign-off process. In closing, he commented on the proper process for encroachments, and the requirement of the developer to adhere to the building permit requirements.

Commissioner Hawkins expressed concerns related to the partnership issue and would object to a condition that would require signature or consent of all partners. He requested that Mr. Paone provide evidence that the owners have delegated that responsibility to a single owner.

Vice Chair Toerge closed the public hearing.

Commissioner Hawkins stated that consideration of these projects was difficult, and expressed hope that within the sixty (60) days, all parties can return with a unified plan that addresses all concerns and does not have impact on the tennis court site.

Commissioner Ameri expressed his concerns regarding the signage identity of the project; however, he was in agreement with Mr. Paone regarding the Planned Community Development. He stated his support for a unified entry from Coast Highway for the entire project, and

recommended to NBCC to revisit the circulation and the aesthetics of the project from the perspective of Coast Highway.

Commissioner Hillgren expressed support for developing world-class units. He expressed concern regarding the parking lot issue and suggested landscaping as a way to mitigate the view of the parking lots from the proposed units. In closing, he recommended reconciliation of the projects by potential relocation of certain development elements or limits to the hours of operation of certain features between the club community and the residential/hotel section.

Motion (Item No. 2) made by Commissioner Hawkins and seconded by Commissioner Hillgren and carried (5 – 0, 2 recusals) to continue this item to October 20, 2011.

Vice Chair Toerge requested that Golf Realty Fund provide documentation regarding ownership and the authority to move forward on development at the proposed site.

AYES:	Ameri, Hawkins, Hillgren, Kramer, and Toerge
NOES:	None.
ABSENT (RECUSED):	Myers and Unsworth
ABSTAIN:	None.

Vice Chair Toerge reopened the public hearing on Item No. 3.

Vice Chair Toerge requested clarification as to the ownership of the easement and to NBCC's objection in removing it. He suggested that NBCC consider reorienting the landscape and asked staff to clarify the rights of a use in this particular zone to conduct activities such as banquets that are open to the public. He inquired whether the rights would change if the Commission approves a new use. Vice Chair Toerge requested additional information as to the relative differences in heights of the projects and how the height of the proposed building compares to the existing structure. In closing, he stated that access to the entire development should be logical as related to the primary access points.

Commissioner Hawkins requested additional information on the heights of the proposed project and expressed concerns regarding grading, the banquet room size, and that the NBCC applicant needs to apply further consideration in terms of standards in the banquet industry. He also stated that in regard to page four (4) of the parking study submitted for NBCC's project, there is no similarly sized parking plan in the City. Commissioner Hawkins requested clarification on the parking plan.

Commissioner Kramer noted that NBCC has the right to build and is requiring a certain size for their facility. He stated that parking is not a concern due to the reciprocal agreements in place, and that the banquet room size is acceptable. He expressed concerns with the Prairie style and requested the addition of Craftsman-style elements to the design. Commissioner Kramer stated that the proposed fence may create an exclusivity to the project that may not be necessary, and that a hedge or landscaping could be used to mitigate this need for the project. He stated that the parking lot should be oriented in the direction of the guest's or resident's destination and that NBCC has the preferred design. Commissioner Kramer suggested the elimination of the easement. He stated that he has no issue with the building size, although he recommended that the porte-cochère should be redesigned because of the impact on the lessor's future development. In closing he noted that staff should provide resolution and clarification related to the use issues.

Commissioner Hillgren stated his concerns/comments as follows:

1. clarification is needed for the easement with and access to Armstrong's Nursery
2. Verification of the managing partner regarding who has the authority to make decisions regarding the property. He further stated that the Commission is only opining on land use issues – not who might have the right to entitlements – including those which might be transferred or transferrable
3. The parking plan proposed by IBC is preferred and should provide sufficient parking and the only time there may be a parking issue would be during evening events; however, adjacent properties may be open to parking agreements.
4. Commissioner Hillgren suggested it might be possible to remove of a few parking spaces in order to create more area to devote to landscape along Coast Highway if removal of the access easement to Armstrong's is not possible. The entry design and landscape need to be enhanced to be more consistent with adjacent properties including Newport Center project and recommended that a fence may not be necessary for this proposed project as this creates a barrier and the security is not necessary given the public nature of the use.
5. He encouraged the applicant to reconsider an architectural alternative to the Americana Prairie design
6. . In closing, Commissioner Hillgren stated that he would like the planning process to assist both projects and allow them to move forward efficiently, particularly so they are not constrained navigating through the Coastal Commission review process. He stated his hope the applicants would use best efforts to maximize the opportunity at this site to create a world-class project.

Community Development Director Brandt affirmed that staff has the appropriate direction to move forward in analyzing the concerns and comments raised during tonight's public hearings as related to Items No. 2 and 3.

Vice Chair Toerge clarified that at the next Regular Commission meeting, the Commission will consider the creation of one PC text, and can approve one, both, or neither of the proposed plans.

Community Development Director Brandt stated that the PC text would be applicable to both applications and would provide overarching standards for the subsequent site plan reviews. At that point in the process, the projects can take different paths.

Motion (Item No. 3) made by Commissioner Hillgren and seconded by Commissioner Hawkins and carried (5 – 0, 2 recusals) to continue this item to October 20, 2011.

AYES:	Ameri, Hawkins, Hillgren, Kramer, and Toerge
NOES:	None.
ABSENT (RECUSED):	Myers and Unsworth
ABSTAIN:	None.

H. NEW BUSINESS – None.

I. STAFF AND COMMISSIONER ITEMS

ITEM NO. 5 Community Development Director's report.

Community Development Director Brandt reported that the City Council will review the Mariner's Pointe Project at their August 9, 2011, Regular Meeting. Staff noted that the Whitacre residence project will be reviewed at a City Council meeting in September at the applicant's request.

ITEM NO. 6 Announcements on matters that Commission members would like placed on a future agenda for discussion, action, or report.

Community Development Director Brandt stated that staff would return at the next Regular Commission meeting with a report on 3002 Breakers Drive.

ITEM NO. 7 Request for excused absences.

None.

ADJOURNMENT - The Planning Commission meeting adjourned at 8:11 p.m.

DRAFT